UNITED STATES DISTRICT COURT MIDDLE DISTRICT OF TENNESSEE NASHVILLE DIVISION

THOMAS W. KIRKENDOLL,)
Plaintiff,)) No. 3:04-0789
v.) JUDGE ECHOLS
GLENN L. MCCULLOUGH, et al.,)
Defendants.	,)

<u>ORDER</u>

For the reasons explained in the Memorandum entered contemporaneously herewith, Defendants' Motion for Summary Judgment (Docket Entry No. 39), is hereby GRANTED.

This case is hereby DISMISSED WITH PREJUDICE.

Entry of this Order on the docket shall constitute entry of final Judgment in accordance with Federal Rules of Civil Procedure 58 and 79(a).

It is so ORDERED.

ROBERT L. ECHOLS

UNITED STATES DISTRICT JUDGE